

Message Text

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PAGE 01 GENEVA 02485 241455 Z

51

ACTION L-03

INFO OCT-01 IO-12 ADP-00 AF-10 ARA-11 EA-11 EUR-25 NEA-10

RSC-01 OIC-04 INRE-00 SSO-00 NSCE-00 USIE-00 CIAE-00

DODE-00 PM-07 H-02 INR-10 NSAE-00 NSC-10 PA-03 PRS-01

SS-15 ACDA-19 MBFR-03 GAC-01 SAJ-01 OMB-01 RSR-01

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O R 241404 Z MAY 73

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 9498

INFO USUN NEWYORK 8871

C O N F I D E N T I A L GENEVA 2485

E. O. 11652: GDS

TAGS: PFOR, UN

SUBJECT: DEFINITION OF AGGRESSION COMMITTEE: INDIRECT USES
OF FORCE

REFS: A. GENEVA 2450 B. NELSON- ALDRICH TELECON AM MAY 24

1. UK REP INFORMED US AM MAY 24 THAT, AS RESULT OF
CANADIAN DEMARCHE IN LONDON, HE HAS BEEN AUTHORIZED
AGREE TO INDIRECT USE OF FORCE PROVISION CONTAINED SUB-
PARA (G) OF CONTACT GROUP II REPORT (GENEVA 2469).
IT THUS APPEARS THAT US IS ONLY MEMBER OF SIX WHICH
CANNOT ACCEPT THAT LANGUAGE.

2. DELEGATION WILL PROCEED AS STATED PARA 3 GENEVA 2478
UNLESS INSTRUCTED OTHERWISE BY DEPARTMENT.

3. DELEGATION BELIEVES THIS PROVISION, WITH DELETION OF
WORDS " OPEN AND", ABOUT THE STRONGEST AND MOST
SWEEPING PROVISION WE WILL BE ABLE TO GET ON THIS
SUBJECT FOR THE FORESEEABLE FUTURE, BUT WOULD NOT
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PAGE 02 GENEVA 02485 241455 Z

RECOMMEND WE BE AUTHORIZED AGREE UNLESS FAILURE TO DO SO WOULD BE LAST BARRIER TO AGREEMENT. WE NOTE THAT PHRASE " INVASION OR ATTACK INVOLVING ACTS OF ARMED FORCE" IS BROADER THAN CONCEPT OF " ARMED ATTACK" IN THAT IT CAN CLEARLY COVER SUCH THINGS AS TERRORIST ACTIVITIES. PHRASE " INVASION OR ATTACK", IN DISJUNCTIVE, PRECLUDES ARGUMENT THAT WORD " ATTACK" LIMITED TO SITUATION INVOLVING ARMED BORDER CROSSINGS IN LARGE NUMBERS. WORD " GRAVITY" DRAWS ROUGH MEASURE OF EQUIVALENCE IN TERMS OF THE SERIOUSNESS OF THE ACTS, TAKEN AS A WHOLE, WHICH LEAVES US FREE TO ARGUE WHAT WE HAVE ALWAYS ARGUED, NAMELY, THAT INDIRECT USES MAY HAVE SAME SERIOUSNESS IN TERMS OF MAINTENANCE OF INTERNATIONAL PEACE AND SECURITY AS OTHERS ON LIST. WORD " PARTICIPATION THEREIN" CAN BE READ IN THIS CONTEXT TO REFER EITHER TO " SENDING" OR TO THE " CARRYING OUT". WORDS " SENDING" AND " PARTICIPATION" BROAD ENOUGH TO COVER PERMITTING USE OF TERRITORY FOR CARRYING OUT OF ACTS INVOLVED. WORD " AGAINST" CAN COVER ATTACKS ON VESSELS, AIRCRAFT, OR NATIONALS.

4. IN LIGHT OF EXTREME DIFFICULTY OF THIS PROVISION FOR NON- ALIGNED, PARTICULARLY ARABS (WHO ARE FURIOUS), IT SEEMS DOUBTFUL THAT THERE CAN BE ANY AGREEMENT ON THIS LANGUAGE EVEN IF WE WERE PREPARED TO ACCEPT IT, BUT THERE EXISTS FAINT POSSIBILITY THAT MODERATE NON- ALIGNED, WHO ARE STRONGLY DETERMINED TO MAKE THIS SESSION THE LAST MAY QUASH ARAB OPPOSITION.

5. WE AGAIN CALL DEPARTMENT' S ATTENTION TO POINTS SET FORTH PARA 3 REF A.

6. LAST WG MEETING WILL PROBABLY BE TOMORROW, MAY 25, UNLESS WE REQUEST ADDITIONAL MEETINGS. BASSIN

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